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CORR V. LEWIS.—Decided at Richmond, December 3, 1896.—*Harrison, J.*

1. SLANDER—*Jury best judges of issues.* A jury is the best and safest tribunal for determining the issues in an action for slander, and, under the evidence in this cause, there was no error in the refusal of the trial court to set aside the verdict as contrary to the law and the evidence.

MOSS V. BARHAM, JUDGE, AND OTHERS.—Decided at Richmond, December 3, 1896.—*Cardwell, J.*

1. PROHIBITION—*Province of writ—Case at bar.* The writ of prohibition does not lie to correct error, but to restrain an inferior court from acting in a matter of which it has no jurisdiction, or in which it is exceeding its jurisdiction. In the case at bar the Corporation Court of the city of Newport News has jurisdiction of the contested election for mayor of the city, and was not exceeding it.

UNION CENTRAL LIFE INSURANCE CO. V. POLLARD.—Decided at Richmond, December 10, 1896.—*Buchanan, J.*

1. MOTIONS—*Life insurance policy.* A motion may be made under section 3211 of the Code to recover money from a life insurance company on a policy of insurance.

2. CONTRACTS—*By what law governed—Stipulation as to place of contract.* A contract, so far as relates to its validity, nature, interpretation and effect, is to be governed by the law with reference to which it is made, and an express stipulation of the parties that it is to be held and construed as made with reference to a certain jurisdiction, shows by what law they intended the transaction to be governed.

3. FOREIGN LAWS—*Judicial notice—How foreign laws proved.* Courts do not take judicial notice of the laws of other States. Such laws are facts to be proved as other facts. The usual and better, if not the only, manner of proving the laws of a foreign State, when they are statutory, is by introducing in evidence a properly authenticated copy of the statute, or so much of it as is necessary to show what the foreign law is on the point in controversy.

CHEATHAM AND OTHERS V. GOWER AND OTHERS.—Decided at Richmond, March 18, 1897.—*Cardwell, J.* *Keith, P.*, dissents:

1. WILLS—*Construction of—Surviving children—Case at bar.* A testatrix seventy years of age, a few hours before her death, made and published her will as follows:

“I give to my nephew, T. M. Cheatham, during his life, my mansion house . . . and at his death to his surviving children.

“My money and bonds I wish to be equally divided between L. L. Lester's and T. M. Cheatham's children.

“All the balance of my estate both real and personal I wish to be equally divided between T. M. Cheatham's and L. L. Lester's children”

Held: The remainder after the termination of the life estate created by the first clause passed to the children of T. M. Cheatham living at his death, whether

in being at the testator's death or not ; but the estates given by the other two clauses of the will were to the children of Lester and Cheatham living at the death of the testatrix.

FREEMAN'S ADMR. V. BUTTERS AND OTHERS.—Decided at Richmond, March 18, 1897.—*Keith, P* :

1. POWER OF APPOINTMENT—*Exercised in favor of volunteers.* Where a person has a general power of appointment, and exercises it in favor of volunteers, the property becomes assets for the payment of the debts of the appointer, and, in the hands of such volunteers, is burdened with the appointer's debts if necessary to resort to it for that purpose.

PETTUS V. ATLANTIC & SAVINGS LOAN ASSOCIATION.—Decided at Richmond, March 25, 1897.—*Keith, P.* Absent, *Riely, J* :

1. TRUSTS AND TRUSTEES—*Substitution of a new trustee.* A proceeding by motion under the statute to substitute a new trustee in a deed of trust to secure a debt, in the place of a trustee who has resigned, determines nothing as to the rights of the parties under the deed, nor as to the character of the deed itself.